

**ZONING BOARD OF ADJUSTMENT
CITY OF LAMBERTVILLE
REGULAR MEETING MINUTES
Thursday, May 26, 2016**

The meeting was called to order by Board Chairman, Pasquale Pittore, at 7:30 p.m. with a statement of compliance with the Open Public Meetings Act.

Roll Call

Mrs. Lawton called the roll as follows:

Present: Pat Pittore, Fred Eisinger, Georg Hambach, John Woods, Jane Wesby and Scott Consoli.

Absent: Kate Dunn, Marcus Rayner and Cullen McAuliffe.

Also Present: Board Attorney, Stewart Palilonis, Board Planner, Emily Goldman and Board Engineer Tom Cundy were also present at the meeting, as well as alternate Board Planner Bob Perry.

APPROVAL OF MINUTES – April 28, 2016

Georg Hambach made a motion to approve the April 28, 2016 meeting minutes, as submitted. John Woods seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present. Jane Wesby was abstained from voting.
MOTION CARRIED.

APPROVAL OF RESOLUTION # 1-2016

**85 North Main Street, LLC
85 North Main Street
Block 1026 Lot 6**

A copy of the draft resolution was distributed to all Board members and the applicant for review. No changes or comments were submitted, except that Mr. Mongelli requested that the conditions of approval from the Delaware and Raritan Canal Commission and the State Department of Transportation be removed, as they are not required for this project.

Georg Hambach made a motion to approve resolution 1-2016, with the changes stated above. Jane Wesby seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present.
MOTION CARRIED.

PUBLIC HEARING – Use Variance

**Woodrose Properties
63 Bridge Street
Block 1042 Lot 29**

It should be noted that John Woods recused himself from this application because he lives within 200 feet of this property.

The applicant has noticed for a public hearing to be held on this date, however, since there was an insufficient amount of members present and able to vote, the applicant decided to carry the public hearing.

An announcement was made to all Board members and also to the public that attended the meeting that no further notices will be required and the public hearing will be held on June 30, 2016 at 7:30 pm, at 25 South Union Street.

The Board deemed this application complete with conditions at our April 28, 2016 meeting. All documents have since been submitted.

Georg Hambach made a motion to deem the application complete. Fred Eisinger seconded the motion. A unanimous roll call vote in favor of the motion was taken.
MOTION CARRIED.

COMPLETENESS

**Fisherman's Mark
37 South Main Street
Block 1045 Lot 21**

It should be noted that Scott Consoli recused himself from his application due to the fact that he resides within 200 feet of the proposed project.

The applicant's attorney, Richard Mongelli, was present at the meeting.

Emily Goldman, the Board's Planner, stated in her letter dated May 25, 2016, that she would like the applicant to submit a site plan or floor plan of the property. Ms. Goldman stated that this document would be useful in determining if there are any pre-existing easements on the property.

Mr. Mongelli advised the Board members and its Professionals that the applicant is a non-profit and that to be able to comply with Mr. Goldman's request would be a financial strain on the applicant. He asked that the Board grant a waiver for the survey and also the parking, since the parking, according to Mr. Mongelli, will likely be the same or decrease.

The applicant had noticed for the public hearing to be heard on this date, however, since there were only five members present that would be eligible to vote, they opted to carry the public hearing.

An announcement was made to the Board members and the public that no further notices will be required and that the public meeting will be held on June 30, 2016, at 7:30, at 25 South Union Street.

Georg Hambach made a motion to grant the waiver for a survey and parking plan. Fred Eisinger seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present.
MOTION CARRIED.

PUBLIC HEARING

**Lua Trading, LLC
17 South Main Street
Block 1045 Lot 21**

It should be noted that both John Woods and Scott Consoli recused themselves from this application due to the fact that they both live within 200 feet of the proposed project.

No action was taken on the application due to the amount of members present and those that are not eligible to vote. Mr. Dilts stated that he would like to continue with the Public Hearing in the hopes that the members that were absent from the meeting listen to the digital recording of all testimony.

George Dilts, the applicant's attorney, was present at the meeting. Also in attendance were property owners John O'Mahony and Sebina O'Mahony, as well as the applicant's planner, James Kyle. All were sworn in by Stewart Palilonis as expert witnesses.

Mr. Dilts call Mr. O'Mahony to describe the building as it exists today. Mr. O'Mahony stated that the previous use of the building was an art gallery and that the two apartments were existing when he purchased the property.

The two apartments have entrances on 65 Ferry Street and 67 Ferry Street. The apartments will remain as part of this application.

The lower level which is approximately 600 square feet will become the office of the acupuncture business. There will be two exam rooms and the reception area will be open space.

Sebina testified that there will be no walk-ins allowed and that it will be by appointment only. She also stated that the approximate hours of operation would be between 8:00 am and 2:00 pm or between 2:00 pm and 7:00 pm. However, this will all depend on the request of the patient.

Mr. Kyle testified that there are no exterior alterations planned at this time. He also noted that the property does not allow for any on-site parking, therefore, the only other option is street parking.

The entrance to the commercial space is also ADA accessible from the street.

A member of the public and also a local business art gallery owner, David Teague, stated that he felt that this proposed project would create less traffic than the previous use as an art gallery.

Ginger Hall, also an art gallery owner in Lambertville, stated that the new addition to the area would add diversity and is relevant. She was in favor of the proposed project.

An announcement was made to the Board members and the public that the public hearing for this application will continue at our June 30, 2016 meeting and action will be taken then.

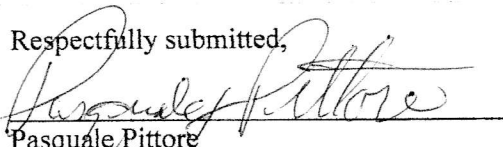
PAYMENT OF BILLS

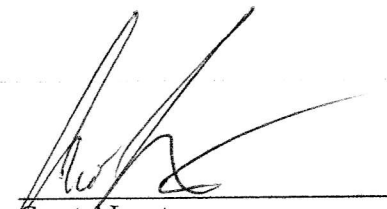
Fred Eisinger made a motion to pay bills, so long as funding was available. Georg Hambach seconded the motion. A unanimous voice vote in favor of the motion was taken by all members present.
MOTION CARRIED.

ADJOURNMENT

Fred Eisinger made a motion to adjourn the meeting at 8:55 pm. Jane Wesby seconded the motion. A unanimous voice vote of ayes was taken in favor of the motion by all members present.
MOTION CARRIED.

Respectfully submitted,


Pasquale Pittore
Chairman


Crystal Lawton
Administrative Officer